

REMARKS / ARGUMENTS

A. GENERALLY

Claims 1-2, 4-11, and 13-16 remain in the Application. Claims 1-2, 6-11, and 13-16 are allowed.

B. CLAIM REJECTIONS

Priority

Applicant acknowledges that the priority claim to international Patent Application Ser. No. PCT/KR02/01514 ("international application"), filed August 8, 2002, and Korean Patent Application 2001-0049386 ("Korean application"), filed August 16, 2001, in the present application was not in accordance with 35 U.S.C. 120. While Applicant had referenced the prior applications in the first sentence of the specification, Applicant unintentionally failed to specify that the present application is a continuation of the international application. Applicant has amended the specification to correctly claim priority. In addition, Applicant submits herewith a petition under 37 CFR 1.78(a)(3) and the surcharge set forth in 37 CFR 1.17(t) in order for the Office to accept the unintentionally delayed claim under 35 U.S.C. 120.

Applicant also includes herewith a certified copy of the Korean priority application as requested by the Examiner.

Claim Rejections – 35 U.S.C. §102

Claims 4 and 5 have been rejected under 35 U.S.C. §102(a) as being anticipated by Beaupre et al., *Optical and Electrical Properties of π -Conjugated Polymers Based on Electron-Rich 3, 6-Dimethoxy-9, 9-dihexylfluorene Unit* (herein, "Beaupre").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)." (MPEP §2131 8th Ed., Rev. 1.)

Applicant respectfully points out that the Beaupre reference is not prior art as to the present application because the effective filing date of the present application predates the November 04, 2003 publication date of Beaupre. The present application is a continuation of the international application filed on August 8, 2002. Upon entry of the present amendments to the

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specification and acceptance of Applicant's petition under 37 CFR 1.78(a)(3), the present application will properly claim the benefit of the effective filing date of the international application under 35 USC 120. The present application qualifies for this priority claim under 37 CFR 1.78 (a)(1) because International Patent Application Ser. No. PCT/KR02/01514 is an international application entitled to a filing date in accordance with PCT Article 11 and because it was pending at the time the present application was filed. Also, the international application names all of the inventors named in the present application and discloses the invention claimed in the present application. The remaining requirements of 37 CFR 1.78 for claiming benefit of an earlier filing date will be fulfilled once Applicant's petition under 37 CFR 1.78(a)(3) has been accepted. Thus, the present application is entitled to the benefit of the effective filing date of international Patent Application Ser. No. PCT/KR02/01514.

Although the August 8, 2002 filing date of the international application sufficiently predates the publication date of the Beaupre reference cited by the Examiner, it should be noted that the international application claims priority to Korean Patent Application 2001-0049386 which was filed on August 16, 2001. Applicant points out that because the international application was filed within a year of the Korean application, the international application is entitled to the benefit of the August 16, 2001 filing date of the Korean application under 35 USC 119. Thus, the effective filing date of the present application, a continuation of the international application, is also August 16, 2001.

For the foregoing reasons, the Beaupre reference is not prior art and does not anticipate claims 4 and 5.

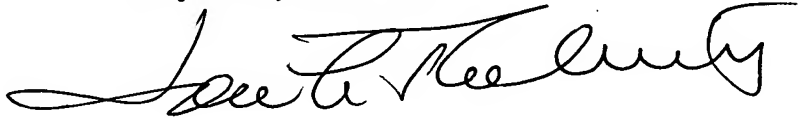
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D. CONCLUSION

Applicant respectfully requests reconsideration of the current rejection of the claims now pending in this application in view of the above remarks and arguments. Should any further questions arise concerning this application or in the event the above amendments do not place the application in condition for allowance, applicant respectfully requests a telephone interview. Attorney for the applicant may be reached at the number listed below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jon L. Roberts", written in a cursive style.

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